

## **The complaint**

Mr M is unhappy with Sainsbury's Bank Plc. Mr M said when his account ATM card expired he didn't get a follow-on card. He wrote to Sainsbury's who wrote back asking him to call in to discuss the matter, but Mr M continued to write instead as he said phone calls don't create a record he can refer back to.

## **What happened**

Mr M has an Instant Access Saver account. When his card linked to the account expired he was never sent a new one. Mr M wrote to Sainsbury's in May 2023 to ask for a new card and a new pin and chased up again in writing when he got no response. As he still didn't get any updates Mr M sent a letter to a Sainsbury's Bank director. Mr M said he then got a letter asking him to call in as security needed to be checked. Instead, Mr M continued to correspond in writing as he wanted a record.

Sainsbury's wrote and said as the card hadn't been used recently it wasn't standard process to automatically send out a new one. Mr M said when he did call he was told his account number wasn't recognised. Mr M said he did still have an account as the bank were writing to him about changing interest rates. He said there was no reason for Sainsbury's not to send him a card and it was denying him access to his account.

As agreement couldn't be reached Mr M brought his complaint to this service.

Our investigator didn't uphold the complaint. He noted there had been no action on the account for several years. He accepted Sainsbury's point about it getting returned mail from Mr M's address and so it needed a call in to arrange for a new card to be sent. He noted the terms and conditions allow Sainsbury's to cancel a card if it isn't used for more than 12 months. Our investigator said Sainsbury's had followed the process correctly. Our investigator tried the same process as Mr M and called Sainsbury's but found when he inputted an incorrect account number he was transferred to a customer service agent. So he didn't think Sainsbury's had done anything wrong.

Our investigator said Sainsbury's had responded in writing to Mr M as he had requested. He also said Sainsbury's records showed it had sent Mr M a "call in" letter, and there was a "gone away" marker on the account. Records also showed Mr M wasn't registered online and there was no email address noted. Our investigator didn't think Sainsbury's had done anything wrong.

Mr M didn't accept this and asked for his complaint to be passed to an ombudsman for a final decision.

## **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

Mr M did write and ask Sainsbury's to issue him with a new card and pin number. He said he didn't get a response and ended up writing on three occasions. Mr M said it was only on the third occasion when he wrote to the Sainsbury's director that he got a response.

Mr M said when he did get a response he replied in writing rather than call Sainsbury's. He accepts that he got the letter stating Sainsbury's process didn't automatically send out a new card. He noted this letter also referred to previous letters Sainsbury's said it had sent asking him to call customer services. Mr M said he never got the letters in May or June. He said it was unlikely the post office would have failed to deliver on two occasions.

Mr M was unhappy that when he did call customer services he was dealing with a robot and when he entered his account number it wasn't recognised. He said his call was eventually cut off. Mr M said he made further calls with the same outcome. This left him with the impression the bank was trying to suggest he didn't have an account.

But he said as the bank were separately writing to him about interest rate changes it was clear he did still have a valid account. And he said this showed the bank was fully aware of his details and his ownership of an account.

Mr M said Sainsbury's were denying him access to his account. He said this was despite there being no suspicion of fraud and not communicating with him first.

Mr M said the bank made him feel like a victim of its process and then left the onus on him to sort it out. He would still like the bank to send him a new card and an account statement which includes all interest to date.

Sainsbury's confirmed if a card hasn't been used recently it isn't its process to automatically send out a new one. But it confirmed customers can contact it if they want a new card.

Sainsbury's said it had written correspondence from Mr M on 10 May 2023, 26 June 2023, and 2 November 2023. It confirmed it was unable to action requests on accounts in writing and it wrote to Mr M asking him to call. It said the call was required to complete the necessary security checks before it could follow up with action on the card.

Sainsbury's said there had been no withdrawals from the account since at least November 2016.

It said statements are generated quarterly but due to previous mail being returned a restriction was placed on Mr M's account in February 2020 to stop certain mail being sent to him until he contacted it to confirm his address.

Sainsbury's confirmed the restriction placed on the account noted above would prevent a new card or statements being sent regardless of whether the previous card was being used or not.

Sainsbury's said the address on Mr M's letter matched the one it had on its system. And it noted that Mr M had received at least one of its responses.

Sainsbury's maintained that it couldn't send a new card until Mr M had called in, completed security, and had the address restriction removed. It said it had followed the correct process.

Sainsbury's accepted this had inconvenienced Mr M but said the process was in place to protect the security of his account and it had made no banking errors.

It concluded by referring to Mr M's difficulties in speaking to an advisor through its automated service. Sainsbury's said this was a new point, not previously raised as a complaint and so it hadn't had a chance to investigate. It said it would be happy to set up a new complaint and follow the usual timescales. It noted if the wrong account number had been given by Mr M there would be no audit trail. But it also said the system wouldn't cut off a customer for inputting incorrect details – they would be put through to an advisor.

Looking at the terms and conditions I can see Sainsbury's have pointed out that it isn't standard procedure to issue a new ATM card when there's been no withdrawals made from the account over several years. Sainsbury's have shown that its process requires a customer to call in to arrange a new card to be issued. I think that's reasonable. I would expect Sainsbury's to have a process in place to ensure Mr M's account is secure at all times, so requesting a discussion to check security before issuing an updated card is reasonable.

In Mr M's case there's the added complication of the restriction placed on his account for previous mail being returned. And that's been highlighted here as Mr M said the letters Sainsbury's sent didn't all reach him. In the terms and conditions Sainsbury's do point out it may stop writing to an address if it finds that mail hasn't been delivered. So, this point highlights the need for the telephone discussion to deal with any issues about the address. I think that's fair.

I don't think Sainsbury's has acted outside of the terms and conditions of the account. I think it's clear that after the card hasn't been used for a lengthy period it won't automatically send a new one. I've no evidence to dispute what Sainsbury's said on these points.

It's clear that some mail did make it to Mr M – the records show that Sainsbury's did send letters though. So, I can't hold Sainsbury's responsible if the post wasn't delivered and it doesn't have an email address for Mr M either. Further, I understand Sainsbury's point that cards and statements wouldn't be sent while the restriction marker was on the record. I think from a security perspective that's reasonable.

I do understand Mr M's point about having a record in writing. But he accepts the bank did ask him to call. It was Mr M's choice not to call and I respect that, but it doesn't mean that I feel Sainsbury's needed to do anything different. It was clear that to issue a card and send out statements it would need to have that security conversation with Mr M first.

Mr M made the point that he did try to speak with Sainsbury's only for its system to stop him when he did call. Sainsbury's said Mr M would have been passed on to an advisor and our investigator tested the Sainsbury's system and found he was passed on to an advisor when he inputted the wrong account number. I think that would be the normal process and as Sainsbury's stated if Mr M did input the incorrect number there would be no audit trail record to show his attempts. I don't think Sainsbury's acted unfairly here.

### **My final decision**

I don't uphold this complaint.

I make no award against Sainsbury's Bank Plc.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr M to accept or reject my decision before 3 February 2025.

John Quinlan

**Ombudsman**